

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 6, 1947

10:55 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
and Councilman Thornberry - 5

Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

The application of N. E. Colecom, for D. C. Bradford, owner, for a change in zoning, from "C" Commercial District to "C-1" Commercial District, of property known as 303 South Lamar Boulevard, fronting two hundred feet on the east side of Lamar Boulevard and 193.24 feet on the old Fredericksburg Road, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The application of Dudley P. Prade for change in zoning, from "A" Residence District to "B-1" Residence District of Lots 1 to 8, inclusive, Block 1, Walsh Place Addition, fronting Enfield Road, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATION.

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Applicant: Charles F. Herring, Attorney for S. G. Garrett

I. Referred to the Board by the City Council on: October 16, 1947

II. Property affected:

Lot 7, Hancock Park Addition, Outlot 22, Division C, being located on the east side of Red River Street and south side of Keith Lane.

III. To be changed

From : "B" Residence District and Second Height and Area District

To : "C" Commercial District and First Height and Area District

IV. Considered by the Board on : November 4, 1947.

V. Parties appearing:

For : Chas. F. Herring

Against: None (no hearing called)

VI. Action of the Board : Change recommended.

For the following reasons:

1. This application is for a change of zoning on property adjacent to an existing "C" Commercial District, which was recently created by the City Council at the northeast corner of Red River and East 32nd Streets, for the purpose of providing a commercial zone between two streets sufficient in size to form a Community Center to serve the needs of this new subdivision and the surrounding area, and was filed in accordance with discussions held at the time the first application was considered by the Council.
2. Since the recommendation of the Board on the first application was presented, a new apartment house project has been proposed across 32nd Street from this location and another project is contemplated to the east, and it is the opinion of the Board that this additional lot should be changed to a "C" Commercial designation to complete the commercial zoning in this block and in order to comply more nearly with a Community Center classification than the present commercial area.

(Sgd) H.F. Kuehne, Chairman."

Councilman Johnson moved that a public hearing on the foregoing application of S. G. Garrett for a change in zoning be called for Wednesday, November 26, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATION

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Applicant : Charles H. Page, Jr., for Jack Taylor

I. Referred to the Board by the City Council on : October 30, 1947

II. Property affected:

Lot 13, Longview Terrace, Outlot 31, Division D, being known as 2315 Longview Street.

III. To be changed

From : "A" Residence District and First Height and Area District

To : "B-1" Residence District and Second Height and Area District.

IV. Considered by the Board on : November 4, 1947

V. Parties appearing:

For : Charles H. Page, Jr., and Jack Taylor

Against: None (no hearing called)

VI. Action of the Board: Change recommended to also include other property between this and Leon Street.

For the following reasons:

1. This application is for a change of zoning on property adjacent to an existing "B-1" Residence lot for the purpose of erecting an apartment house on two lots, the one lot in the "B-1" zone being too small to permit the development proposed by the applicant, who is the owner of both lots.
2. In response to an application by Jack Lebo for a change in the zoning of the present "B-1" Residence lot, the Board had recommended to the City Council on October 24, 1946, that the "B" Residence District existing at that time on 24th Street

be extended to the west to include all property between Leon Street and Longview Street for a depth of 174 feet on Leon Street and 164.05 feet on Longview Street, which recommendation included the lot now under consideration. However, the City Council at that time changed only the one lot on which an application had been filed, leaving the remainder of the area recommended by the Board in an "A" Residence District.

3. The Board still considers that the area recommended in the previous report should be changed to either "B" Residence or "B-1" Residence District to avoid leaving a small "A" Residence area between the two less restrictive residence districts.

(Sgd) H. F. Kuehne,  
Chairman. "

Councilman Johnson moved that a public hearing on the foregoing application of Jack Taylor for a change in zoning be called for Wednesday, November 26, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry  
Noes : None

Pursuant to published notice thereof, the public hearing on the application of Mrs. Ben T. Jordan to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

A strip of land located at the northwest corner of the intersection of Treadwell Street and Fredericksburg Road, being out of Lots 5 and 6, of Evergreen Heights and facing approximately 550 feet on Fredericksburg Road and approximately 150 feet on Treadwell Street, in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appeared to protest the proposed change.

Thereupon Councilman Johnson moved that the action of the Board of Adjustment be not sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance making the change effective, for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and  
Councilman Thornberry  
Noes : None

Pursuant to published notice thereof, the public hearing on the application of L. L. McCandless to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

A triangular tract of land located at the southeast corner of the intersection of Shoalwood Avenue and Hancock Drive, in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appeared to protest the proposed change.

Thereupon, Councilman Thornberry moved that the recommendations of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance making the change effective, for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Councilman Thornberry was excused from the meeting.

Action on the applications of W. L. Brown, Geo. S. Bickler, Mrs. Kathleen Pratt, and Mrs. S. E. Gideon for change in zoning of their properties was again postponed to the next regular meeting.

The application of ERNEST KUNKEL, 2014 East 2nd Street, for a license to operate as a taxicab a 1940 Model Studebaker Sedan, Motor No. 45513, State License No. JB-4993, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of HAROLD SCOTT SMITH, 3405 Gonzales Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

Councilman Glass moved that, in accordance with the recommendation of the Chief of Police, the taxicab driver's permit issued to ALFRED ARNOLD, Colored, 2101 East 9th Street, be revoked. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of the SWAN CLUB, by Tom S. Plummer, 1808 East 12th Street, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller.  
Noes : None  
Absent: Councilman Thornberry

The application of the LA MORENITA CAFE, by Matt and Mack Martinez, 715 Red River Street, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of the HOME SERVICE DELIVERY, by Anthony Colonna, 209 West 4th Street, for a local distributor's beer license, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED : "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS, AND BY AMENDING SECTIONS 23(d) AND 34(b) OF ARTICLE IV RELATING RESPECTIVELY TO LOADING ZONE LOCATIONS AND ONE-WAY STREETS AND ALLEYS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The ordinance was read the second time and Councilman Johnson moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

Mayor Miller then announced that the ordinance had been finally passed.

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 85.91 ACRES OF LAND, BEING A PORTION OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, AND ALSO 160.88 ACRES OF LAND, BEING A PORTION OF THE GEORGE W. SPEAR LEAGUE IN TRAVIS COUNTY, TEXAS, ALL OF WHICH LAND AND TERRITORY LIE ADJACENT TO AND ADJOINING THE PRESENT LIMITS OF THE CITY OF AUSTIN IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Bartholomew moved that the ordinance be passed to its second reading and laid over for publication as required by the City Charter. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The ordinance was then laid over.

Kenneth Lamkin, Attorney for Lacy Crenshaw, Colored, came before the Council to appeal the application of his client for a taxicab driver's permit which had been recommended for denial. After hearing the appeal, it was the sense of the Council that action on the matter be deferred until after the first of the year, and if the applicant has a clear record in the meantime, a probationary permit will then be considered.

H. E. Preston, 1810 Haskell Street, came before the Council and submitted petitions by a large number of residents of the Old Tenth Ward, asking for additional street lights, especially in the south and southeast sections of said Ward. Petitioners were advised that their request would be granted as soon as such street lights can be obtained.

It was moved by Councilman Johnson that William W. Wolf be appointed a special judge to sit in the trial of the following traffic cases in the Corporation Court, to-wit, State of Texas vs. Carla Jo Cocke, #24667, and State of Texas vs. Leonard Andrewartha, #24668, in the place

of Judge Benton Coopwood, who has asked to be disqualified in the matter. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller,

Noes : None

Absent: Councilman Thornberry

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:20 P. M., subject to call of the Mayor.

APPROVED:

*Tom Miller*

MAYOR

Attest:

*Shelia McKeen*

City Clerk